

### REMARKS

This Amendment and Response are filed in reply to the Office Action dated November 18, 2003. In this Response, Applicants amend claims 1-32 and 37-38 to correct antecedent basis and form issues. Applicants also traversing the Examiner's rejections of all pending claims 1-38. Support for the amendments can be found throughout the originally filed disclosure. Amendments to the claims are not an acquiescence to any of the rejections. Applicants' silence with regard to the Examiner's rejections of dependent claims constitutes a recognition by the Applicants that the rejections are moot based on the Amendment and/or Remarks relative to the independent claim from which the dependent claims depend. Furthermore, any amendments to the claims are being made solely to expedite prosecution of the instant application. Applicants reserve the option to further prosecute the same or similar claims in the instant or a subsequent application. Upon entry of the Amendment, claims 1-38 are pending in the present application.

The issues of the November 18, 2003 Office Action are presented below with reference to the Office Action.

With regard to the Office Action, paragraph 1: The Examiner objected to the specification, Page 6, for not including a serial number of a U.S. Patent application. Applicants traverse the Examiner's objection through the instant Response in which the Applicants amend the specification to include the co-pending patent application number.

With regard to the Office Action, paragraph 2: The Examiner rejected Applicants' claims 1-38 under 35 U.S.C. 101. Applicants respectfully disagree with the Examiner, and traverse the Examiner's rejections.

Applicants amend independent claims 1, 22, and 37 to more specifically state the useful, concrete and tangible result of the Applicants' claimed invention. *In re Alappat*, 31 USPQ 2d 1545, 1558 (Fed. Cir. 1994); *State Street Bank & Trust Co. v. Signature Financial Group, Inc.*, 47 USPQ 2d 1596, 1601-1602 (Fed. Cir. 1998). Specifically, Applicants' independent claims 1, 22, and 37 specifically claim forming a measure of difference between first and second data vectors, and, *based on said measure of difference, performing at least one of: adding at least one of the first and second data vectors to a training set for the trainable data classifier, using at least one of the first and second data vectors to retrain the trainable data classifier, and*

*discarding at least one vector from a training set.* The basis for such amendment is provided in the specification, page 5, lines 22-35, amongst other locations. Accordingly, such determination to *add at least one of the first and second data vectors to a training set for the trainable data classifier, use at least one of the first and second data vectors to retrain the trainable data classifier, and discard at least one vector from a training set* provides a useful, concrete, and tangible result, and thus, is statutory subject matter. Applicants thus traverse the Examiner's 35 U.S.C. 101 rejections of independent claims 1, 22, and 37.

Applicants' independent claim 12 is directed to retraining a data classifier, and includes *using the second data vector to retrain the data classifier responsive to the measure of conflict.* The retraining of a data classifier, and use of the second data vector in so retraining, is a useful, concrete, and tangible result. Accordingly, Applicants respectfully disagree with and traverse the Examiner's statement that independent claim 12 is directed to non-statutory subject matter.

Applicants independent claim 15 is directed to operating a data classifier, including providing an input data vector and generating a responsive output data vector, selecting a training vector(s), for each training vector, determining an association coefficient of an input vector and the selected training vector(s), forming a measure of difference, and using the measures of difference to associate a reason with the output. The claimed association of the output vector with a reason is a useful, concrete, and tangible result. Applicants thus respectfully disagree with and traverse the Examiner's statement that independent claim 15 is directed to non-statutory subject matter.

Applicants' independent claim 19 is directed to a method of training a data classifier, including *modifying a training set responsive to a measure of redundancy, and training said trainable data classifier using said modified training data set.* The generation of a modified training set, and training of a data classifier, are useful, concrete, and tangible results. Applicants accordingly respectfully disagree with and traverse the Examiner's statement that independent claim 19 is directed to non-statutory subject matter.

Because Applicants' traverse the Examiner's 35 U.S.C. 101 rejections to independent claims 1, 12, 15, 19, 22, and 37, Applicants thus traverse all of Examiner's 35 U.S.C. 101 rejections, and Applicants consider pending claims 1-38 to be allowable.

CONCLUSION

Applicants consider the Response herein to be fully responsive to the referenced Office Action. Based on the above Remarks, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance is requested. If there are any remaining issues or the Examiner believes that a telephone conversation with Applicants' attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at 617-832-1241.

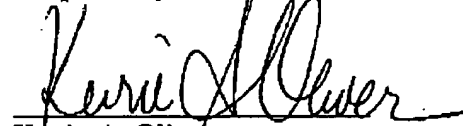
Date:

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Respectfully submitted,

  
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